

REMARKS

By this amendment, claims 1, 4, 6-8, 14-20 and 23-24 have been amended. Claims 1-24 remain in the application. Support for the amendments to the claims can be found the specification and drawings. No new matter has been added. This application has been carefully considered in connection with the Examiner's Action. Reconsideration, and allowance of the application, as amended, is respectfully requested.

Objection to the Specification

The specification stands objected to in that the title of the invention is not descriptive. By this amendment, the title of the application has been amended to be indicative of the invention to which the claims are directed. Accordingly, the objection to the specification is now believed overcome and withdrawal of the objection is respectfully requested.

Claim objections

Claim 24 stands objected to because of minor informalities. By this amendment, claim 24 has been amended to remove the multiple dependent language "any one of" from the claim. Accordingly, the objection to the claim is now believed overcome and withdrawal of the objection is respectfully requested. Furthermore, claim 23 has also been amended to remove multiple dependent language "any one of" from the claim.

Rejection under 35 U.S.C. §102

Claim 1 recites: an apparatus comprising:

a first liquid crystal cell, said first liquid crystal cell comprising a plurality of first pixel elements configured to produce images, said first pixel elements being controllable between a non-reflective state, in which electromagnetic radiation having a first polarization is reflected to a first extent, and a reflective state, in

which said electromagnetic radiation having a first polarization is reflected to a second extent, said second extent being greater than said first extent; and
a second liquid crystal cell, said second liquid crystal cell comprising a plurality of second pixel elements configured to produce images, said second pixel elements being controllable between a non-reflective state, in which electromagnetic radiation having a second polarization is reflected to a third extent, and a reflective state, in which said electromagnetic radiation having a second polarization is reflected to a fourth extent, said fourth extent being greater than said third extent, characterized in that said first and second liquid crystal cells are configured so that said first polarization is different from said second polarization.

Support for the amendments to claim 1, can be found in the specification at least on page 5, lines 30-34; page 6, lines 1-3; page 7, lines 11-12; page 8, lines 17-18; page 10, lines 32-33; page 11, lines 1-5, page 12, lines 23-27.

Claims 1-5, 7, 9-11 and 14 were rejected under 35 U.S.C. § 102(e) as being anticipated by Faris et al. (US 2002/0085151). With respect to claim 1, Applicant respectfully traverses this rejection for at least the following reasons.

The PTO provides in MPEP § 2131 that
"[t]o anticipate a claim, the reference must teach every element of the claim...."

Therefore, with respect to claim 1, to sustain this rejection the Faris reference must contain all of the above claimed elements of the respective claims. However, contrary to the examiner's position that all elements are disclosed in the Faris reference, the latter reference does not disclose a "first *liquid crystal* cell comprising a plurality of first *pixel* elements *configured to produce images* ... and a ... second *liquid crystal* cell comprising a plurality of second *pixel* elements *configured to produce*

images" as is claimed in claim 1.

In contrast, the *non-absorptive* electro-optical *glazing structure* of Faris teaches selectively controlling the transmission of electromagnetic radiation *through window structures*. [Emphasis added.] (See Faris at paragraph [0012]). In addition, the electro-optical glazing structure of Faris is directed to *total*-reflection, semi-transparent and *totally* transparent modes of operation for control over the flow of electromagnetic radiation within the solar region of the electromagnetic spectrum (See Faris at paragraph [0027]). [Emphasis added.] However, Faris does not teach or suggest the "first *liquid crystal* cell comprising a plurality of first *pixel* elements *configured to produce images* ... and a ... second *liquid crystal* cell comprising a plurality of second *pixel* elements *configured to produce images* as is claimed in claim 1 of the present application. Therefore, the rejection is not supported by the Faris reference and should be withdrawn.

Accordingly, claim 1 is allowable and an early formal notice thereof is requested. Dependent claims 2-5, 7, 9-11 and 14 depend from and further limit independent claim 1 and therefore are allowable as well. Accordingly, the 35 U.S.C. § 102(e) rejection thereof has now been overcome.

Rejection under 35 U.S.C. §103

Claims 6, 8, 12-13, 15-17, 19-20 and 23-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Faris et al. (US 2002/0085151) in view of Witehira et al. (US 6,906,762). With respect to dependent claims 6, 8, 12-13, 15-17, 19-20 and 23-24, they depend from and further limit allowable independent claim 1, and therefore are allowable as well. Accordingly, the 35 U.S.C. § 103(a) rejection thereof has now been overcome.

Claims 18 and 21-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Faris et al. (US 2002/0085151) in view of Witehira et al. (US 6,906,762) and further in view of Faris (b) (US 5,537,144). With respect to dependent

claims 18 and 21-22, they depend from and further limit allowable independent claim 1, and therefore are allowable as well. Accordingly, the 35 U.S.C. § 103(a) rejection thereof has now been overcome.

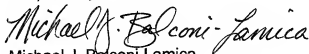
Conclusion

Except as indicated herein, the claims were not amended in order to address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents. Applicants furthermore reserve their right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or a continuation application.

It is clear from all of the foregoing that independent claim 1 is in condition for allowance. Dependent claims 2-24 depend from and further limit independent claim 1 and therefore are allowable as well.

The amendments herein are fully supported by the original specification and drawings, therefore, no new matter is introduced. An early formal notice of allowance of claims 1-24 is requested.

Respectfully submitted,



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